

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

19-cr-536 (PKC)

-against-

ORDER

ABEL MONTILLA,


Defendant.

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CASTEL, U.S.D.J.

Due to the seriousness of the sentence faced by the defendant if he were to be convicted for the instant narcotics conspiracy charge, there is a rebuttable presumption here that there is no condition or combination of conditions that will reasonably assure the appearance of the defendant at future proceedings. 18 U.S.C. § 3142(e); United States v. English, 629 F.3d 311, 319 (2d Cir. 2011). The Court also finds, based on a preponderance of the evidence, that there is no condition or combination of conditions that will reasonably assure the presence of the defendant at future proceedings when required. This finding is based on the strength of the evidence, the immense weight of cocaine involved in the conspiracy, and the significant potential sentence faced by the defendant in this case.

Accordingly, the defendant's application for release on bail is DENIED.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
February 10, 2022